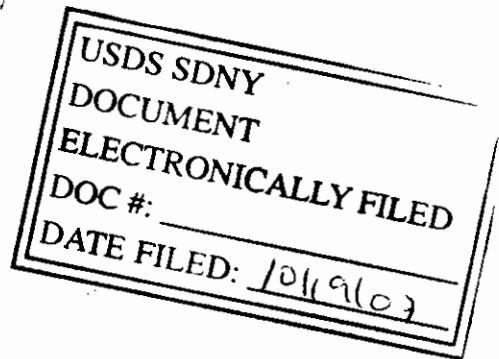


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October 17, 2007

BY FACSIMILE

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
500 Pearl Street, Room 615
New York, NY 10007



Re: Hope v. St. Margaret House, et al. (07 Civ. 4726 (RJS)

Dear Judge Sullivan:

This letter is respectfully written to inquire case status of the pre-motion conference whose time and date I had not been notified in advance.

I tried diligently to search through my most recently registered access into pacer systems to obtain the outcome of yesterday's pre-motion decision rendered by Your Honor after Ms. Levine called me from Your Honor's Chamber about the Pre motion Decision. I am a solo practitioner, shuttling back and forth from DC to New York. If I had not received a hearing notice in advance, I would have missed all such hearings. When I had this case filed with the Clerk of the Court, I was not informed that electronic filing is a mandatory in this court. My understanding or forgivable misunderstanding is that electronic filing is elective. Respectfully enclosed are some supporting documents to prove the reason why I had missed such a critical information concerning Time and Date of PreMotion Conference. Exhibit A is the original service copy delivered to me by the Defendant HUD which did not mention any proposed promotion conference date and time. When Ms. Levine called me up advising me to file my response, I was not given such information as to time and date of the conference. Exhibit B is the electronic file information that I retrieved last night through pacer system which bearing Your Honor's Order concerning date and time of this PreMotion Conference, entered on October 3, 2007. After I have exhausted all these pacer information, I am unable to locate the results of yesterday's hearing (Please kindly refer to Exhibit C).

In the light of the foregoing, counsel for the Plaintiff respectfully prays if Your Honor may kindly consider to reschedule a new PreMotion Conference under such circumstances.

Respectfully submitted by,



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Plaintiff's request is denied. Per the scheduling order signed on 10/16/07 and docketed on 10/17/07, defendants' motions to dismiss are due on 11/12/07. Plaintiff's responses are due 12/3/07. Plaintiff's counsel is reminded that it is "the duty of the attorney for a party to review regularly the docket sheet of the case." (SDNY ECF procedure # 9).

SO ORDERED
Dated: 10/17/07 RICHARD J. SULLIVAN
U.S.D.J.

